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Date: 11/10/2012

Pages including cover sheet: 3

<b>To:</b>	
<b>Phone</b>	
<b>Fax Number</b>	+1 (571) 273-8300

<b>From:</b>	Meyer and Associates LLC
	17462 e powers dr
	centennial
	CO 80015
<b>Phone</b>	+1 (303) 667-4285
<b>Fax Number</b>	(303) 699-0548

**NOTE:**

**INADVERTENT SUBMISSION ERROR**

Sirs, during the preparation of a PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b)) in the instant case an error was made in not appropriately checking the payment by credit card box even though the Form 2038 was appropriately completed and submitted. Please delete the first two pages (Pages 1 and 2) of the previous Petition and replace therewith the Pages 1 and 2 attached hereto, which properly indicate the payment for the submission is to be by credit card in accordance with Form 2038. Sender's contact phone number is 720-870-5845. Please contact sender if there are questions regarding this submission. Thank you.

Regards, Lee G. Meyer, Esq.

NOV 13 PM 4:04

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# **PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

11/15/2012 DALLEN 00000006 6128795

01 FC:1599

3105.00 OP

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at  
(571) 272-3282.

Patent Number: 6128795

Application Number: 09414415

Issue Date: 10/10/2000

Filing Date: 10/07/1999

**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

☐ is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

## **CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

November 10, 2012

/Lee G Meyer/

Date

Signature

Lee G. Meyer, Esq.

Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input checked="" type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input checked="" type="checkbox"/> \$ <u>2405</u>	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 2405

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 700

## 5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ \_\_\_\_\_
- ☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_
- ☒ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 502398

[Page 2 of 4]

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## 7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. 502398

OR

☐ Send refund check

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

/Lee G Meyer/

Signature(s) of Petitioner(s)

November 10, 2012

Date

Lee G. Meyer, Esq.

Typed or printed name(s)

27216

Registration Number, if applicable

Meyer & Associates, LLC

Address

720-870-5845

Telephone Number

17462 E. Powers Drive, Centennial, CO 80015

Address

## ENCLOSURES:

- ☐ Maintenance Fee Payment  
☐ Statement why maintenance fee was not paid timely  
☐ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other:

Exhibits to Statement

PTO/SB/65 (03-09)

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

/Lee G Meyer/

Signature

November 10, 2012

Date

Lee G. Meyer, Esq.

Type or printed name

27216

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

PLEASE SEE ATTACHED STATEMENT

*(Please attach additional sheets if additional space is needed)*

[Page 4 of 4]

Now comes Patentee, by and through their Attorney, Meyer & Associates, LLC, and states that the delay in paying the 12<sup>th</sup> Year Maintenance Fee (including surcharge) was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent.

In support of the above statement, the following communiqués, instructions, docket sheets, and notices are hereby submitted:

1. On or about November 10, 2011, Patentee was notified by Meyer & Associates, LLC that the 12<sup>th</sup> Year Maintenance Fee period was open with a due date of April 10, 2012, enclosing a copy of the USPTO Maintenance Invoice (Exhibit 1).
2. On January 12, 2012, Meyer & Associates, LLC again reminded Patentee that the 12<sup>th</sup> Year Maintenance Fee was due no later than April 10, 2012, referencing the November 10, 2011 Notice. Patentee's representative Ms. Michelle Mariani, CEO of SoothSoft Innovations Worldwide, Inc., responded that she would pay the USPTO invoice directly which was acknowledged by Meyer & Associates, LLC (Exhibit 2).
3. On March 22, 2012 Meyer & Associates, LLC again contacted Patentee's representative, Ms. Mariani, and reminded her of the 12<sup>th</sup> Year Maintenance Fee due date and informing her that Meyer & Associates, LLC did not intend to pay the Maintenance Fee. Ms. Mariani responded that she would pay the USPTO Invoice directly with her credit card per her previous instructions (Exhibit 3).
4. Further, on March 22, 2012, Meyer & Associates, LLC clarified to Ms. Mariani that a surcharge of \$75 would attach if the 12<sup>th</sup> Year Maintenance Fee was not paid prior to April 11, 2012 (Exhibit 4).
5. On April 16, 2012, Meyer & Associates, LLC again contacted Patentee's representative, Ms. Mariani, in regard to the 12<sup>th</sup> Year Maintenance Fee, indicating that Meyer & Associates, LLC's docket audit showed that the Maintenance Fee had not been paid and informed her of the applicability of the \$75 surcharge charge and the absolute deadline to pay by October 10, 2012. Patentee's representative responded that she duly calendared the deadline (Exhibit 5).
6. On July 13, 2012, Meyer & Associates, LLC received from Patentee's representative a Letter of Authorization instructing Meyer & Associates, LLC with regard to payment for foreign and U.S. patents and trademarks. Absent from this list and in accordance with Patentee representative's prior representation that she would pay the Maintenance Fee directly to the USPTO, Meyer & Associates, LLC was not instructed to pay the 12<sup>th</sup> Year Maintenance Fee (Exhibit 6).
7. On or about July 29, 2012, Patentee's representative was sent a complete Maintenance and Renewal Docket, including fees for outstanding matters. Of specific

note is the first item dealing with the 12<sup>th</sup> Year Maintenance Fee and setting out in bold, highlighted print the absolute deadline for payment (Exhibit 7).

8. Again, on or about August 20, 2012, a revised Docket was sent to Patentee's representative showing outstanding annuities and maintenance fees for U.S. and foreign jurisdictions through December 2012, including the instruction status for each item. Of note is the first item under U.S. matters referencing the 12<sup>th</sup> Year Maintenance Fee along with the absolute due date of October 10, 2012, indicating no new instructions had been received by Meyer & Associates, LLC with regard to payment of this matter (Exhibit 8).

9. Finally, on or about September 18, 2012 (less than a month from the final due date), Meyer & Associates, LLC sent Patentee's representative a revised Docket through December 2012, again predominantly showing Patent No. 6,128,795 12<sup>th</sup> Year Maintenance Fee, including the final deadline, with no new instructions.

Given all of the notification and clear instructions from the Patentee's representative that she would pay the 12<sup>th</sup> Year Maintenance Fee directly to the USPTO and receiving no new instructions, Meyer & Associates, LLC did not timely pay the 12<sup>th</sup> Year Maintenance Fee and applicable surcharge. Meyer & Associates, LLC did not learn that Patentee's representative had not timely paid the Maintenance Fee until it received a Notice of Abandonment via Private PAIR on November 5, 2012. Upon receipt of the Notice of Abandonment, Meyer & Associates, LLC immediately contacted Patentee's representative who maintained that she was confused as to the entity making the actual 12<sup>th</sup> Year Maintenance Fee payment due to the large number of items in her portfolio.

This Petition, along with the required maintenance fee as set forth in Section 1.20(e)-(g) and the surcharge as set forth in Section 1.20(i)(1), were filed promptly after the Patentee's representative was notified by Meyer & Associates, LLC of the expiration of the Patent 6,128,795.

Early and favorable action on this Petition is respectfully requested. Any questions should be addressed to the signatory attorney.

Respectfully Submitted,

Date: November 10, 2012

/Lee G Meyer/

Reg. No.: 27,216  
Tel. No.: 720-870-5845  
Fax No.: 303-699-0548  
Email: lgm@meyerlawllc.com

Signature of Practitioner  
Lee G. Meyer, Esq.  
Meyer & Associates, LLC  
17462 E. Powers Drive  
Centennial, CO 80015-3046  
PTO CUSTOMER NUMBER 36178

# **EXHIBIT 1**



[Return To](#)[USPTO Home Page](#)[Finance Online Shopping Page](#)**United States  
Patent and  
Trademark Office****RECEIVED  
CENTRAL FAX CENTER  
NOV 13 2012****Patent Maintenance Fees****11/10/2011 01:34 PM EST**

<b>Patent Number:</b>	6128795	<b>Application Number:</b>	09414415
<b>Issue Date:</b>	10/10/2000	<b>Filing Date:</b>	10/07/1999
<b>Window Opens:</b>	10/10/2011	<b>Surcharge Date:</b>	04/11/2012
<b>Window Closes:</b>	10/10/2012	<b>Payment Year:</b>	12
<b>Entity Status:</b>	SMALL		
<b>Customer Number:</b>	36178		
<b>Address:</b>	LEE G. MEYER, ESQ. MEYER & ASSOCIATES, LLC 17462 E. POWERS DRIVE CENTENNIAL CO 80015-3046		
<b>Phone Number:</b>	(720) 870-5845		
<b>Fee Code:</b>	2553	<b>Fee Code Amount:</b>	\$2,365.00
<b>Surcharge Fee Code:</b>		<b>Surcharge Fee Code Amount:</b>	\$0.00
<b>Total Fees Due:</b>			<b>\$2,365.00</b>

**Pay Maintenance Fees**

☐ Click here to view and print your official maintenance fee statement. We recommend that you select this option to confirm that your transaction processed successfully and to provide you with an official receipt showing proof of payment. We will no longer mail statements to the 'fee address' of record to indicate receipt of payment.

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## **EXHIBIT 2**

From acm@meyerlawllc.com  
Subject RE: U.S. Patent 6,128,795/Our Ref. No. 50027.0008  
Date Thu, January 12, 2012 11:46 am  
To "Michelle Mariani" <michelle.mariani@soothsoft.com>

---

Michelle, you can pay that invoice directly by credit card. I can walk you through the website to get to the right place. The newly re-designed website for USPTO is absolutely awful!!! It takes three times longer to get where you need to be and it is not very user friendly. So when you are ready, give me a call and we will pay the fee together. :)

Alla Meyer, Intellectual Property Paralegal  
Meyer & Associates, LLC  
3600 So. Yosemite Street  
Suite 360  
Denver, Colorado 80237  
USA  
Phone: 720-870-5845  
Fax: 303-699-0548

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> Hi Alla,  
>  
> I will calendar this to remind me weekly. I do not have the money for  
> this now, but will have it closer to the date. Did you send the invoice  
> because this is one I can pay direct?  
>  
>  
> Best Regards,  
>  
> Michelle L. Mariani, CEO  
> Soothsoft Innovations Worldwide, Inc.  
> (308) 382-5114 Direct  
>  
>  
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> they have purchased the genuine article.

> -----Original Message-----

> From: [acm@meyerlawllc.com](mailto:acm@meyerlawllc.com) [mailto:[acm@meyerlawllc.com](mailto:acm@meyerlawllc.com)]  
> Sent: Thursday, January 12, 2012 8:30 AM  
> To: Michelle Mariani  
> Subject: U.S. Patent 6,128,795/Our Ref. No. 50027.0008

> Good Morning, Michelle-

> This is just a friendly reminder that a 12th Year Maintenance fee in the  
> above referenced U.S. Patent is due no later than April 11, 2012 (see  
> attached USPTO invoice and your email dated November 10, 011).

> Best Regards,  
> Alla

> Alla Meyer, Intellectual Property Paralegal Meyer & Associates, LLC 3600  
> So. Yosemite Street Suite 360 Denver, Colorado 80237 USA  
> Phone: 720-870-5845  
> Fax: 303-699-0548

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> calling Alla Meyer at 720-870-5845, so that our address record can be  
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## **EXHIBIT 3**

From "Michelle Mariani" <michelle.mariani@soothsoft.com>  
Subject RE: U.S. Patent 6,128,795/Our Ref. No. 50027.0008  
Date Thu, March 22, 2012 2:09 pm  
To acm@meyerlawllc.com  
CC lgm@meyerlawllc.com

---

Hi Alla and Lee,

I apologize - I must have deleted that voicemail. I was out of the office last week for 2 days but working using my phone.

I do have the payment sheet you send sometime back, and I printed it.

Patent no. 6128795

Issue Date 10/10/2000

Customer Number 36178

Surcharge Date: 4/11/12

Fee Code Amount \$2365.00.

I will pay this myself with our credit card per our previous discussion - I do appreciate you reminding me again.

Have a great trip!

Best Regards,

Michelle L. Mariani, CEO  
Soothsoft Innovations Worldwide, Inc.  
(308) 382-5114 Direct

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-----Original Message-----

From: [acm@meyerlawllc.com](mailto:acm@meyerlawllc.com) [mailto:[acm@meyerlawllc.com](mailto:acm@meyerlawllc.com)]  
Sent: Thursday, March 22, 2012 1:16 PM  
To: Michelle Mariani  
Cc: [lgm@meyerlawllc.com](mailto:lgm@meyerlawllc.com)  
Subject: U.S. Patent 6,128,795/Our Ref. No. 50027.0008

Hi Michelle-

I believe Lee left a voice mail for you in regard to the 12th Year Maintenance Fee which is due on or before April 11, 2012 in order to avoid any USPTO surcharge. I also sent you an email containing this and other very important items requiring your close attention.

We need to inform you that we do not intend to pay the 12th Year Maintenance Fee without having funds from SoothSoft in our account or SoothSoft credit card. Also, we need to inform you that Lee and I will be out of town April 9th through April 13th and therefore will not be able to take care of that matter during these days even if we had funds from SoothSoft.

I know you are busy, Michelle... But I want to remind you about this patent one last time so that you can plan accordingly.

Best Regards,  
Alla

Alla Meyer, Intellectual Property Paralegal  
Meyer & Associates, LLC  
3600 So. Yosemite Street  
Suite 360  
Denver, Colorado 80237  
USA  
Phone: 720-870-5845  
Fax: 303-699-0548

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## **EXHIBIT 4**

From acm@meyerlawllc.com  
Subject RE: U.S. Patent 6,128,795/Our Ref. No. 50027.0008  
Date Thu, March 22, 2012 7:10 pm  
To "Michelle Mariani" <michelle.mariani@soothsoft.com>

---

If you pay it prior to April 11, 2012, there is NO surcharge; thereafter - there is surcharge.

In accordance with the current USPTO fee schedule, the surcharge is \$75.

Regards,  
Alla

Alla Meyer, Intellectual Property Paralegal  
Meyer & Associates, LLC  
3600 So. Yosemite Street  
Suite 360  
Denver, Colorado 80237  
USA  
Phone: 720-870-5845  
Fax: 303-699-0548

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> See attached, same questions.

>

>

> Best Regards,

>

> Michelle L. Mariani, CEO

> Soothsoft Innovations Worldwide, Inc.

> (308) 382-5114 Direct

>

>

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> These counterfeit products could cause harm to users who believe that  
> they have purchased the genuine article.

>  
>  
>  
> -----Original Message-----  
> From: Michelle Mariani  
> Sent: Thursday, March 22, 2012 4:55 PM  
> To: '[acm@meyerlawllc.com](mailto:acm@meyerlawllc.com)'  
> Cc: [lqm@meyerlawllc.com](mailto:lqm@meyerlawllc.com); Eric Stanley  
> Subject: RE: U.S. Patent 6,128,795/Our Ref. No. 50027.0008  
> Importance: High

>  
> Hi Alla,  
>  
> Attached is the copy of the patent maintenance fee you sent to me  
> previously.

>  
> The window opens and closes between 10/10/2011-10/10/2012, with a  
> surcharge date of 4/11/12. Does this mean that if I pay it by 4/11/12  
> there will NOT be a surcharge? If that is true than I can pay it after  
> that date? And if so, what are the typical surcharges?

>  
> Best Regards,  
>  
> Michelle L. Mariani, CEO  
> Soothsoft Innovations Worldwide, Inc.  
> (308) 382-5114 Direct

>  
> WARNING: SoothSoft Innovations Worldwide, Inc.'s Intellectual Property  
> is protected by patents, trademarks and other rights granted to  
> SoothSoft Innovations Worldwide, Inc. under international, federal and  
> state statutory and common law or otherwise licensed by SoothSoft  
> Innovations Worldwide, Inc. to its authorized distributors and  
> resellers. SoothSoft Innovations Worldwide, Inc. vigorously enforces  
> its Intellectual Property rights, whether infringement takes the form of  
> "knock-off" or counterfeit products, unauthorized use of trademarks or  
> copyrights or in any other manner. Many companies are offering  
> "knock-off" and counterfeit goods wrongfully bearing trademarks of  
> SoothSoft Innovations Worldwide, Inc. and containing illegally copied  
> and reproduced materials. Genuine SoothSoft Innovations Worldwide, Inc.  
> products should be purchased from SoothSoft Innovations Worldwide, Inc.  
> authorized dealers and distributors. Counterfeit products are often  
> sold at very low price, but are of inferior quality and performance.  
> These counterfeit products could cause harm to users who believe that  
> they have purchased the genuine article.

>  
>  
>  
> -----Original Message-----  
> From: [acm@meyerlawllc.com](mailto:acm@meyerlawllc.com) [mailto:[acm@meyerlawllc.com](mailto:acm@meyerlawllc.com)]  
> Sent: Thursday, March 22, 2012 1:16 PM  
> To: Michelle Mariani  
> Cc: [lqm@meyerlawllc.com](mailto:lqm@meyerlawllc.com)  
> Subject: U.S. Patent 6,128,795/Our Ref. No. 50027.0008

>  
> Hi Michelle-  
>  
> I believe Lee left a voice mail for you in regard to the 12th Year  
> Maintenance Fee which is due on or before April 11, 2012 in order to  
> avoid  
> any USPTO surcharge. I also sent you an email containing this and other

> very important items requiring your close attention.

>

> We need to inform you that we do not intend to pay the 12th Year  
> Maintenance Fee without having funds from SoothSoft in our account or  
> SoothSoft credit card. Also, we need to inform you that Lee and I will  
> be  
> out of town April 9th through April 13th and therefore will not be able  
> to  
> take care of that matter during these days even if we had funds from  
> SoothSoft.

>

> I know you are busy, Michelle... But I want to remind you about this  
> patent one last time so that you can plan accordingly.

>

> Best Regards,  
> Alla

>

>

>

>

> Alla Meyer, Intellectual Property Paralegal  
> Meyer & Associates, LLC  
> 3600 So. Yosemite Street  
> Suite 360  
> Denver, Colorado 80237  
> USA  
> Phone: 720-870-5845  
> Fax: 303-699-0548

>

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>

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>

>

>

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## **EXHIBIT 5**

From "Michelle Mariani" <michelle.mariani@soothsoft.com>  
Subject RE: U.S. Patent 6128795 - 12th Yr Maintenance Fee  
Date Mon, April 16, 2012 9:35 am  
To acm@meyerlawllc.com

---

Hi Alla,

Yes, we chose not to renew at this time as we can barely make payroll tomorrow. I have it calendared as well, thank you.

Best Regards,

Michelle L. Mariani, CEO  
Soothsoft Innovations Worldwide, Inc.  
(308) 382-5114 Direct

WARNING: SoothSoft Innovations Worldwide, Inc.'s Intellectual Property is protected by patents, trademarks and other rights granted to SoothSoft Innovations Worldwide, Inc. under international, federal and state statutory and common law or otherwise licensed by SoothSoft Innovations Worldwide, Inc. to its authorized distributors and resellers. SoothSoft Innovations Worldwide, Inc. vigorously enforces its Intellectual Property rights, whether infringement takes the form of "knock-off" or counterfeit products, unauthorized use of trademarks or copyrights or in any other manner. Many companies are offering "knock-off" and counterfeit goods wrongfully bearing trademarks of SoothSoft Innovations Worldwide, Inc. and containing illegally copied and reproduced materials. Genuine SoothSoft Innovations Worldwide, Inc. products should be purchased from SoothSoft Innovations Worldwide, Inc. authorized dealers and distributors. Counterfeit products are often sold at very low price, but are of inferior quality and performance. These counterfeit products could cause harm to users who believe that they have purchased the genuine article.

-----Original Message-----

From: [acm@meyerlawllc.com](mailto:acm@meyerlawllc.com) [mailto:[acm@meyerlawllc.com](mailto:acm@meyerlawllc.com)]  
Sent: Monday, April 16, 2012 10:26 AM  
To: Michelle Mariani  
Subject: U.S. Patent 6128795 - 12th Yr Maintenance Fee

Hi Michelle-

I noticed that you did not pay the maintenance fee for the above referenced patent. Therefore, a surcharge in the amount of \$75 is now applied to the USPTO Invoice (attached for your information). Please make a note on your calendar that the absolute deadline to pay this maintenance fee is October 10, 2012.

I will monitor this event as well and if the fee is not paid in September, I will send you a final reminder.

Best Regards,  
Alla

Alla Meyer, Intellectual Property Paralegal Meyer & Associates, LLC  
3600 So. Yosemite Street  
Suite 360  
Denver, Colorado 80237  
USA  
Phone: 720-870-5845  
Fax: 303-699-0548

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## **EXHIBIT 6**



## SoothSoft Innovations Worldwide, Inc.

---

July 13, 2012

Meyer and Associates  
17462 E. Powers Drive  
Centennial, CO 80015

Re: Letter of Authorization

Dear Lee,

Please be advised that Soothsoft Worldwide Inc. has chosen to abandon certain foreign patents, as well as utilize the grace periods for both US and foreign trademark renewals. We are therefore authorizing Meyer and Associates to do so on our behalf.

Please see grouped below the patents we wish to abandon. Also grouped below are the US and foreign trademarks we intend to renew toward the end of the grace period. Since some marks are not due for renewal until October and December of 2012, and should the status change on the need to utilize the grace periods, I will send a notice and payment if our status has changed.

Patents to abandon

South Africa Patent No. 2002/02781  
Singapore Patent No. 88274  
Luxembourg Patent No. 1307169  
Monaco Patent No. 1307169

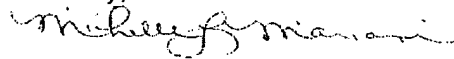
US trademarks utilizing the grace period option (SIWI to confirm closer to the date)

U.S. Trademark Registration No. 2621654 SOOTHSOFT (word)  
U.S. Trademark Registration No. 3152984 BERNICE MOUNTAIN DOG (design)  
U.S. Trademark Registration No. 3191276 CHILLOW (word)

Foreign trademarks utilizing the grace period (SIWI to confirm closer to the date)

Australia Trademark SOOTHSOFT Reg. No. A.929,390  
Mexico Trademark SOOTHSOFT Reg. No. 776229 (Class 9)  
Mexico Trademark SOOTHSOFT Reg. No. 776230 (Class 24)  
European Community Trademark SOOTHSOFT Reg. No. 002876159

Sincerely,



Michelle L. Mariani  
CEO




Cc Eric Stanley, Heather Clifford

**PO BOX 5496 GRAND ISLAND, NE 68802**  
**p:308.382.5114 f:308.381.0860 www.soothsoft.com**

## **EXHIBIT 7**


**U.S. DOCKET ITEMS**  
**FEES ARE APPROXIMATE**  
**7-29-2012**

U.S. Pat. No. 6,128,795 "Fluid Saturated Foam Container" Filing Date: October 7, 1999 Issue Date: October 10, 2000 Expiration Date: October 28, 2014	The 12th Year Maintenance Absolute Deadline: 10/10/12	USPTO: \$2365 +\$75 (surcharge) M&A: \$200  <b>TOTAL: \$ 2640</b>	50027.0008
<b>CHILLOW.COM</b>	Renewal is due- [REDACTED] M&A was not involved in registering this URL. For details, please see attached WHOIS record. Kirk registered this URL, not M&A. Please contact Kirk for assisting you in renewing this URL.		
U.S. Trademark Registration No. 3,116,603 SOOTHSOFT (word) Registration Date: 07/18/2006 Class 11: Personal cooling devices for non-medical purposes in the nature of non-electric, open-cell, foam-encased liquid-containing wraps and pads for comfort and support	Sections 8 & 15: 07/18/2012 (grace period ends 1/18/2013) CURRENT SPECIMENS ARE REQUIRED  <b>CLIENT'S FUNDS ARE RECEIVED. SPECIMENS ARE RECEIVED. THE DECLARATION WILL BE FILED.</b>	USPTO: \$300 M&A: \$200  <b>TOTAL: \$500</b>	50027.0066


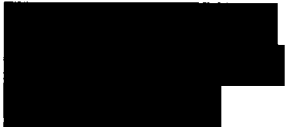


<b>U.S. Trademark Registration No. 2621654 SOOTHSOFT</b> (word) Registration Date: 09/17/2002 <b>Class 20:</b> open cell foam encased products, namely, beds for pets, beds for humans, pillows and furniture	10 Yr Renewal: 09/17/2012 (grace period ends 3/17/2013) CURRENT SPECIMENS ARE REQUIRED 	USPTO: \$500 M&A: \$200 TOTAL: \$700 If Grace Period is applied: \$200 TOTAL: \$900	50027.0014
<b>U.S. Trademark Registration No. 3152984 BERNICE MOUNTAIN DOG</b> (design) Registration Date: 10/10/2006 <b>Class 20:</b> Portable pet bed	Sections 8 & 15: 10/10/2012 (grace period ends 4/10/2013) CURRENT SPECIMENS ARE REQUIRED 	USPTO: \$300 M&A: \$200 TOTAL: \$500 If grace period is applied: \$200 TOTAL: \$700	50027.0063
<b>U.S. Trademark Registration No. 3191276 CHILLOW</b> (word)  <b>Class 10:</b> Personal cooling devices for therapeutic use to treat menopausal conditions having an open cell foam encased liquid containing cooling feature  <b>Class 11:</b> Personal cooling devices for non-medical purposes in the nature of non-electric, open cell, foam encased liquid containing wraps and pads for comfort and support	Sections 8 & 15: 12/20/2012 (grace period ends 6/20/2013) CURRENT SPECIMENS ARE REQUIRED 	USPTO: \$600 M&A: 200 TOTAL: \$800 If grace period is applied: \$400 TOTAL: \$1200	50027.0067
<b>APPROXIMATE TOTAL FOR U.S. TRADEMARKS AND PATENT</b>		<b>\$5,140</b> <b>(WITHOUT GRACE PERIOD)</b>	

**FOREIGN DOCKET ITEMS (RECEIVED FROM FOREIGN ASSOCIATES)**  
**FEES ARE APPROXIMATE**

South Korea Patent No. 0393428	Annuity: 07/22/2012  This was paid with Check No. 6068 7/6/12  Associates were instructed to pay	\$1550	50027.0006
South Africa Patent No. 2002/02781	Annuity: 8/09/2012 Associates were instructed to pay	\$300	50027.0040
Singapore Patent No. 88274	Annuity: 08/09/2012 Abandon per letter from SIA 7/13/12 - MLM Associates were instructed to abandon	\$850	50027.0039
Ireland Patent No. 1307169	Annuity: 08/09/2012 Paid via online with M&A VISA	\$450 (direct)	50027.0036 (pulsating)
U.K. Patent No. 1307169	Annuity: 08/09/2012 Paid over the phone with M&A VISA	\$450 (direct)	50027.0036 (pulsating)
China Patent No. ZL01802707.5	Annuity: 08/09/2012	\$855	50027.0035 (pulsating)

	Associates were instructed to pay		
Australia Trademark CHILLOW Reg. No. A.923,429	10 Yr Renewal: 08/14/2012   Email to the associates regarding grace period has been sent.	\$1300	50027.0027
Luxembourg Patent No. 1307169	Annuité: 08/31/2012 Abandon per letter from SIWI 7/19/12 - MLM  Associates were instructed to abandon	\$440	50027.0036 (pulsating)
Monaco Patent No. 1307169	Annuité: 08/31/2012 Abandon per letter from SIWI 7/19/12 - MLM  Associates were instructed to abandon	\$505	50027.0036 (pulsating)
<b>TOTAL</b>			

South Korea Patent No. 626606	Annuity:	09/14/2012	\$950	50027.0038
Canada Patent No. 2203764	Annuity:	09/18/2012	\$850	50027.0003
Australia Patent No. 754167	Annuity:	09/18/2012	\$1900	50027.0002
Portugal Patent No. 789524	Annuity:	09/18/2012	\$1200	50027.0004
Ireland Patent No. 0789524	Annuity:	09/18/2012	\$650 (direct)	50027.0004
U.K. Patent No. 0789524	Annuity:	09/18/2012	\$925 (direct)	50027.0004
Spain Patent No. 0789524	Annuity:	09/30/2012	\$995	50027.0004
Germany Patent No. 0789524	Annuity:	09/30/2012	\$2400	50027.0004
France Patent No. 0789524	Annuity:	09/30/2012	\$1050	50027.0004
Switzerland Patent No. 0789524	Annuity:	09/30/2012	\$760	50027.0004
Austria Patent No. 0789524	Annuity:	09/18/2012	\$2300	50027.0004
Belgium Patent No. 0789524	Annuity:	09/18/2012	\$830	50027.0004
Italy Patent No. 0789524	Annuity:	09/18/2012	\$1400	50027.0004
TOTAL			\$	

Australia Trademark SOOTHSOFT Reg. No. A.929,390	10 Yr Renewal: 10/03/2012 	\$1550 associates fee (Recordation of merger fees will apply). \$200 M&A Fee  TOTAL (without recordation of merger fees): <b>\$1750</b>	50027.0045
Mexico Trademark SOOTHSOFT Reg. No. 776229 (Class 9)	10 Yr Renewal 10/03/2012 	\$1000 (associate fee) \$200 (M&A fee)  \$600 Recordation of merger (associates fee) \$100 M&A fee  TOTAL: <b>\$1900</b>	50027.0046
Mexico Trademark SOOTHSOFT Reg. No. 776230 (Class 24)	10 Yr Renewal 10/03/2012 	\$900 (associates fee – discounted for 2 <sup>nd</sup> mark) \$200 (M&A fee)  \$300 Recordation of Merger (associates fee – discounted for 2 <sup>nd</sup> mark) \$100 (M&A fee)  TOTAL: <b>\$1500</b>	50027.0046
European Community Trademark SOOTHSOFT Reg. No. 002876159	10 Yr Renewal 10/31/2012 	<b>\$3100</b>	50027.0049
<b>TOTAL</b>		<b>\$</b>	



## **EXHIBIT 8**

8-20-2012 Docket for Michelle through December 2012

8/20/2012				
SoothSoft Patent	Reference No.	Annulity Fees	Meyer & Assoc	Comments
Australia	50027-0002	\$1,800.00	\$100.00	Reminder received 6-29-2012
Canada	50027-0003	\$750.00	\$100.00	Reminder received 3/20/2012
South Korea	50027-0006	\$1,450.00	\$100.00	Instructions sent and acknowledged 7/12/2012 - FUNDS FROM THE CLT REC'D
Mexico	50027-0007			PAID 2009-2013; NEXT PAYMENT IS DUE OCT 2014
Austria	50027-0004	\$2,200.00	\$100.00	Reminder received 7/20/2012
Belgium	50027-0004	\$730.00	\$100.00	Estimated Amount - reminder has not been received yet
France	50027-0004	\$950.00	\$100.00	Reminder received 6/1/2012
Germany	50027-0004	\$2,300.00	\$100.00	Reminder received 6/15/2012
Ireland	50027-0004	\$550.00	\$100.00	Can be paid online
Italy	50027-0004	\$1,300.00	\$100.00	Reminder received 7-26-2012
Portugal	50027-0004	\$1,100.78	\$100.00	Reminder received 3-26-2012
Spain	50027-0004	\$895.00	\$100.00	Reminder received 5/7/2012
Switzerland	50027-0004	\$660.00	\$100.00	Reminder received 6/1/2012
United Kingdom	50027-0004	\$850.00	\$100.00	Can be paid online
<b>TOTAL</b>		<b>\$15,535.78</b>	<b>\$1,300.00</b>	
Pulsating Patent	Reference No.	Annulity Fees		Comments
China	50027-0035	\$755.00	\$100.00	Instructions sent 7/24/2012 - FUNDS FROM THE CLIENT - RECEIVED
South Korea	50027-0038	\$1,300.00	\$100.00	Reminder received 7/13/2012
South Africa	50027-0040	\$200.00	\$100.00	Instructions sent and acknowledged 7/12/2012 - FUNDS FROM THE CLT REC'D
Ireland	50027-0036	\$350.00	\$100.00	PAID 7-24-2012 EUR 265 (\$320) - FUNDS FROM THE CLIENT RECEIVED
United Kingdom	50027-0036	\$350.00	\$100.00	PAID 7-25-2012 L 210 (\$350) - FUNDS FROM THE CLIENT RECEIVED
<b>TOTAL</b>		<b>\$ 2,955.00</b>	<b>\$500.00</b>	
	MATTER NO.	ASSOCIATES FEES	M&A FEES	NOTES
U.S. Patent No. 6,128,795	50027.0008	\$2,440.00	\$200.00	DUE 10/10/2012 (FINAL DEADLINE - SURCHARGE IS APPLIED)
U.S. Trademark Reg. No. 2621654 SOOTHSOFT	50027.0014	\$700.00	\$200.00	DUE 3/17/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)
U.S. Trademark Registration No. 3152984 BERNICE MOUNTAIN DOG (design)	50027.0063	\$500.00	\$200.00	DUE 4/10/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)
U.S. Trademark Reg. No. 3191276 CHILLOW	50027.0067	\$1,000.00	\$200.00	DUE 6/20/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)
Australia Trademark CHILLOW Reg. No. A.923,429	50027.0027	\$1,100.00	\$200.00	DUE 2/14/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED BUT THE FEES ARE NOT APPLIED. EMAIL TO THE ASSOCIATES REGARDING GRACE PERIOD FEES IS SENT). MERGER FEES OF M&A AND ASSOCIATES WILL APPLY

From: Meyer and Associates:Fax: (303) 699-0648

To:

Fax: +1 (571) 273-8300

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[illegible]

## **EXHIBIT 9**

9-18-2012 Revised 2012 Docket for Michelle through December 2012

9/18/2012				
SoothSoft Patent	Reference No.	Annuity Fees	Meyer & Associates Fee	Comments
Australia	50027-0002	\$1,738.00	\$100.00	PAID via CHECK #3447 9/16/2012
Canada	50027-0003	\$740.00	\$100.00	PAID via CHECK #3448 9/16/2012
South Korea	50027-0006	\$1,465.80	\$100.00	PAID via CHECK #3440 8/15/2012
Mexico	50027-0007			PAID 2009-2013; NEXT PAYMENT IS DUE OCT 2014
Austria	50027-0004	\$1,900.00	\$100.00	Instructions to the associates sent 8-11-2012
Belgium	50027-0004	\$780.00	\$100.00	Instructions to the associates sent 8-11-2012
France	50027-0004	\$970.00	\$100.00	Instructions to the associates sent 8-11-2012
Germany	50027-0004	\$2,215.00	\$100.00	PAID via CHECK #3446 9/16/2012
Ireland	50027-0004	\$501.50	\$100.00	Paid approximately \$501.50 8-11-2012 with M&A card
Italy	50027-0004	\$1,300.00	\$100.00	Instructions to the associates sent 8-11-2012
Portugal	50027-0004	\$1,060.78	\$100.00	PAID via CHECK 3449 9/16/2012
Spain	50027-0004	\$895.00	\$100.00	Instructions to the associates sent 8-11-2012
Switzerland	50027-0004	\$570.00	\$100.00	Instructions to the associates sent 8-11-2012
United Kingdom	50027-0004	\$750.00	\$100.00	Can be paid online
<b>TOTAL</b>		<b>\$14,886.08</b>	<b>\$1,300.00</b>	
Pulsating Patent	Reference No.	Annuity Fees		Comments
China	50027-0035	\$755.00	\$100.00	Instructions sent 7/24/2012 - FUNDS FROM THE CLIENT - RECEIVED
South Korea	50027-0038	\$1,270.00	\$100.00	PAID via CHECK 3450 9/16/2012
South Africa	50027-0040	\$200.00	\$100.00	Instructions sent and acknowledged 7/12/2012 - FUNDS FROM THE CLT REC'D
Ireland	50027-0036	\$325.66	\$100.00	PAID 7-24-2012 EUR 265 - FUNDS FROM THE CLIENT RECEIVED
United Kingdom	50027-0036	\$329.00	\$100.00	PAID 7-25-2012 L 210 - FUNDS FROM THE CLIENT RECEIVED
<b>TOTAL</b>		<b>\$ 2,879.66</b>	<b>\$500.00</b>	
MATTER NO.	ASSOCIATES FEES	M&A FEES	NOTES	
U.S. Patent No. 6,128,795	50027.0008	\$2,440.00	\$200.00	DUE 10/10/2012 (FINAL DEADLINE - SURCHARGE IS APPLIED)
U.S. Trademark Reg. No. 2621654				
SOOTHSOFT	50027.0014	\$700.00	\$200.00	DUE 3/17/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)
U.S. Trademark Registration No. 3152984 BERNICE MOUNTAIN DOG (design)	50027.0063	\$500.00	\$200.00	DUE 4/10/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)
U.S. Trademark Reg. No. 3191276				
CHILLOW	50027.0067	\$1,000.00	\$200.00	DUE 6/20/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED)

9-18-2012 Revised 2012 Docket for Michelle through December 2012

From: Meyer and Associates-Fax: (303) 699-0548

To:

Fax: +1 (571) 273-8300

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Australia Trademark CHILLOW Reg. No. A.923,429 (1 Class)	50027.0027	\$2,150.00	\$200.00	GRACE PERIOD ENDS 2/14/2013. EXTENSION OF TIME FEES ARE \$1050. MERGER FEES OF M&A AND ASSOCIATES WILL APPLY
Australia Trademark SOOTHSOFT Reg. No. A.929,390 (2 Classes)	50027.0045	\$2,600.00	\$200.00	GRACE PERIOD ENDS 4/3/2013. EXTENSION OF TIME FEES ARE \$1050. MERGER FEES OF M&A AND ASSOCIATES WILL APPLY
Mexico Trademark SOOTHSOFT Reg. No. 776229 (Class 9)	50027.0046	\$1,600.00	\$300.00	DUE 4/3/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED BUT THE FEES ARE NOT APPLIED. EMAIL TO THE ASSOCIATES REGARDING GRACE PERIOD FEES IS SENT). ASSOCIATES' MERGER FEES AND M&A MERGER INSTRUCTIONS FEES ARE INCLUDED.
Mexico Trademark SOOTHSOFT Reg. No. 776230 (Class 24)	50027.0046	\$1,200.00	\$300.00	DUE 4/3/2013 (FINAL DEADLINE - GRACE PERIOD IS APPLIED BUT THE FEES ARE NOT APPLIED. EMAIL TO THE ASSOCIATES REGARDING GRACE PERIOD FEES IS SENT). ASSOCIATES' DISCOUNTED MERGER FEES AND M&A MERGER INSTRUCTIONS FEES ARE INCLUDED.
European Community Trademark SOOTHSOFT Reg. No. 002876159	50027.0049	\$3,600.00	\$200.00	DUE 4/31/2012 (FINAL DEADLINE - GRACE PERIOD IS APPLIED, 25% LATE RENEWAL FEE IS APPLIED BUT NOT CONFIRMED WITH THE ASSOCIATES. MERGER FEES OF M&A AND ASSOCIATES WILL APPLY).
<b>TOTAL</b>		<b>\$15,790.00</b>	<b>\$2,000.00</b>	